

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): JENDICK

Appln. No.: 09

723,329

Series Code ↑

Serial No. ↑

Filed: November 28, 2002

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

**REPLY/AMENDMENT/LETTER**

Group Art Unit 2815

Examiner: Matthew C. Landau

Atty. Dkt. P

275939

US 2002539

M#

Client Ref

Appln. Title:

MARKING OF ARTICLES TO BE  
INCLUDED IN CANS

Date: October 16, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herein by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

1. Small Entity claim

A. ☒ NOT made  
B. ☐ Withdrawn  
C. ☐ made herewith  
D. ☐ made previously

For B & C  
See **Required**  
**Separate** Paper  
(Pat-256)

| Claims remaining after amendment  | Highest number previously paid for                 | Present Extra  | Large/Small Entity | Additional Fee | Fee Code Lg/Sm                                      |
|---|--|--|--------------------|----------------|---|
| 2. Total Effective Claims   | 27   | **minus 27 0   | x \$18/\$9 =       | + \$0          | 103/203   |
| 3. Independent Claims   | 3  | ***minus 3 0   | x \$84/\$42 =      | + \$0          | 102/202   |
| 4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... add |  |  | + \$280/\$140 =    | + \$0          | 104/204   |
| 5. Original due Date: October 16, 2002  | <input type="checkbox"/> NONE                      |  |                    |                |   |
| 6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached             | (1 mo)<br>(2 mos)<br>(3 mos)<br>(4 mos)<br>(5 mos) | \$110/\$55 =<br>\$400/\$200 =<br>\$920/\$460 =<br>\$1,440/\$720 =<br>\$1,960/\$980 = | + \$0              |                | 115/215<br>116/216<br>117/217<br>118/218<br>128/228 |
| 7. Enter any previous extension fee paid since above original due date and subtract   |  | - \$0  |                    |                |   |
| 8.  |  |  | Extension Fee      | + \$0          |   |
| 9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....   |  | + \$110/\$55   | + \$0              |                | 148/248   |
| 10. If IDS attached requires Official Fee under Rule 97 (c), ..... add  |  | + \$180  | + \$0              |                | 126   |
| or if Rule 97(d) Request ..... add  |  | + \$180  |                    |                | 126   |
| 11. After-Final Request Fee per rules 129(a) and 17(r) .....  |  | + \$740/370  | + \$0              |                | 146/246   |
| 12. No. of additional inventions for examination per Rule 129(b) .....  |  | x \$740/370 ea   | + \$0              |                | 149/249   |
| 13. Request for Continued Examination (RCE) .....   |  | + \$740/370  | + \$0              |                | 1179/1279   |
| 14. Petition fee for .....  |  |  | + \$0              |                |   |

15.

TOTAL FEE =

\$0

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

PLEASE CHARGE  
OUR DEP. ACCT

Our Deposit Account No. 03-3975)

(Our Order No. 009521

275939

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Paul T. Bowen

Sig:

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Atty/Sec: PTB/EED

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
JENDICK

Confirmation No.: 5539

Application No.: 09/723,329

Group Art Unit: 2815

Filed: November 28, 2000

Examiner: Matthew C. Landau

Title: MARKING OF ARTICLES TO BE INCLUDED IN CANS

Date: October 16, 2002

#14/Election  
10/23/02  
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TECHNOLOGY CENTER 2800

\* \* \* \* \*

**RESPONSE TO RESTRICTION REQUIREMENT**

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated September 16, 2002, Applicant hereby provisionally elects Group II, claims 22-44 and 46-48, with traverse. The traversal is on the basis that all of the limitations in subcombination claim 22 of Group II are included in the combination claim 45 of Group I. Thus, restriction should not be required. See MPEP 806.05(c).

Further, it is respectfully submitted that the Restriction Requirement be withdrawn in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent and Trademark Office.

Reconsideration and withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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